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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/752,135

12/19/2000

Carl Chang

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2531

7590

10/20/2006

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EXAMINER

MEUCCI, MICHAEL D

ART UNIT

PAPER NUMBER

2142

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/752,135

Applicant(s)

CHANG ET AL.

Examiner

Michael D. Meucci

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 45-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 45-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2001 and 08 May 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This application has been reassigned to Michael Meucci.
2. This action is in response to the request for reconsideration filed 08 May 2006.

### *Drawings*

3. The drawings are objected to because the majority of the text is illegible and because the drawings are lacking Figure numbers. Accordingly, **ALL** drawings must be resubmitted. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121 (d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Response to Amendment***

4. Examiner acknowledges amendments to claim 45 to overcome the rejection under 35 U.S.C. 112, second paragraph. This rejection has been withdrawn.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. As to claim 45, Chang '99 discloses a system for providing and monitoring electronic collaboration among users comprising: means for Internet access (p. 137, LC, lines 23-38); a meeting environment (p. 140, RC, lines 20-24); and means for allowing mitigation of a set of protocol rules within said meeting environment (p. 140, RC, lines 20-24); and an object based client-server architecture functionally supporting said meeting environment and said means for allowing mitigation of said set of protocol rules by virtue of said set of application interfaces which allow communication between said means for allowing mitigation of said set of protocol rules and said meeting environment (p. 141, LC, line 22, RC, line 34); Chang '99 disclose an electronic meeting that takes advantage of the capacity of electronic networks to handle multiple simultaneous communication channels ( p.139, LC, lines 25-27). Chang '99 does not explicitly disclose means for Internet access, and wherein said set of protocol rules is based on Robert's Rules of Order and is created by a colored petri net. Chang '97 discloses a

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client server collaboration distributed systems that uses WWW (Internet) session and floor control rules for meeting such as the Robert's Rules Order (RRO) and the colored Petri Net (CPN) to model an extended RRO( p. 228, RC, line 1- p. 229, LC, line 7). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Chang '97 's teachings to modify the system of Chang' 99 by using the Internet, and wherein said set of protocol rules is based on Robert's Rules of Order and is created by a colored petri net in order to adaptor and model the old fashioned RRO to the modern net-centric virtual conference where time synchronism is hard to enforce. One of ordinary skill in the art would be motivated to employ Robert's Rules of Order and a colored petri net used the web meeting are concurrent by Chang '99 in order to allow users to work on a same document at the same time such as DistEdit, and Lotus notes which support both asynchronous and synchronous collaborations, and to employ by Chang '97 in order to meet the requirement of the rich semantics of CPN in particular (page. 229, LC, lines 1-9).

7. As to Claim 46, Chang '99 further disclose comprising: a meeting registration function [ a plan a must be established before meeting may be called (meeting registration function) (p. 138, RC, lines 23-27)]; a meeting call to order function (Fig. 2); a meeting list [ an agenda for the meeting is a meeting list (p. 138, RC, lines 28- 34)]; a meeting floor (p. 138, RC, lines 14-19); a means to control said meeting floor (p. 138, RC, lines 14-19); a means to make motions (p. 138, RC, lines 1-8) ; and an adjournment function (p. 139, LC, first four lines ).

8. As claim 47, Chang '99 discloses a method for providing and monitoring electronic collaboration among users, comprising the steps of: accessing an electronic environment supported by an object based client-server architecture ( p. 141, LC, lines 22-29 ); communicating through said electronic environment supported by said object based client-server architecture ( Fig. 6); and applying a set of protocol rules within said electronic environment by virtue of said object based client-server architecture ( p. 141, RC, lines 1-4 ); Chang '99 does not explicitly disclose wherein said set of protocol rules is based on Robert's Rules of Order and is created by a colored petri net. Chang '97 discloses a client server collaboration distributed systems that uses WWW (Internet) session and floor control rules for meeting such as the Robert's Rules Order (RRO) and the colored Petri Net (CPN) to model an extended RRO( p. 228, RC, line 1- p. 229, LC, line 7). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Chang '97 's teachings to modify the system of Chang' 99 by the set of protocol rules is based on Robert's Rules of Order and is created by a colored petri net in order to adaptor and model the old fashioned RRO to the modern net-centric virtual conference where time synchronism is hard to enforce. One of ordinary skill in the art would be motivated to employ Robert's Rules of Order and a colored petri net used the web meeting are concurrent by Chang '99 in order to allow users to work on a same document at the same time such as DistEdit, and Lotus notes which support both asynchronous and synchronous collaborations, and to employ by Chang '97 in order to

meet the requirement of the rich semantics of CPN in particular (page. 229, LC, lines 1-9).

9. As to claim 48, Chang '99 further discloses accessing an electronic environment supported by an object based client-server architecture ( p. 141, LC; lines 22-29 ); communicating through said electronic environment supported by said object based client-server architecture ( Fig. 6); and applying a set of protocol rules within said electronic environment by virtue of said object based client-server architecture ( p. 141, RC, lines 1-4 ); wherein said object based client-server architecture comprises a collaboration server, a collaboration client, a domain server, and a set of middleware components ( Fig. 6, p. 141, RC, lines 5-34 ); Chang '99 does not explicitly disclose wherein said set of protocol rules is based on Robert's Rules of Order and is created by a colored petri net. Chang '97 discloses a client server collaboration distributed systems that uses WWW (Internet) session and floor control rules for meeting such as the Robert's Rules Order (RRO) and the colored Petri Net (CPN) to model an extended RRO( p. 228, RC, line 1- p. 229, LC, line 7). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Chang '97 's teachings to modify the system of Chang' 99 by the set of protocol rules is based on Robert's Rules of Order and is created by a colored petri net in order to adaptor and model the old fashioned RRO to the modern net-centric virtual conference where time synchronism is hard to enforce. One of ordinary skill in the art would be motivated to employ Robert's Rules of Order and a colored petri net used the web meeting are

concurrent by Chang '99 in order to allow users to work on a same document at the same time such as DistEdit, and Lotus notes which support both asynchronous and synchronous collaborations, and to employ by Chang '97 in order to meet the requirement of the rich semantics of CPN in particular (page. 229, LC, lines 1- 9).

10. As to claim 49, refer to the rejection of claim 46

***Response to Arguments***

11. Applicant's arguments filed 08 May 2006 have been fully considered but they are not persuasive.

(A) The applicant is arguing that the '99 reference was not available to the public until on or after a particular date. This is argument unsupported by evidence and is not persuasive. It is unclear how the attorney would have any personal knowledge that would establish when the '99 reference was available to the public.

Even if what the attorney argues is true, that the '99 Reference was not available to the public until the dates argued, the reference still qualifies as prior art under 35 U.S.C. 102(a). Although the applicants could overcome the rejection in this application by submitting either a declaration under 37 CFR 1.131 showing prior invention or a declaration under 37 CFR 1.132 showing derivation, the applicants have not done so.

The examiner would also remind the applicants that if a declaration after final were submitted in this application, the declaration would not be seasonable presented.



(B) The applicant argues that the '97 reference is insufficient, by itself, to render the current invention obvious.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Therefore, the argument is irrelevant because the rejection is made over the combination of the '99 and '97 references and not the '97 reference alone.

### ***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Salas (U.S. 6,230,185 B1) discloses collaborative networked environment.

Smiga et al. (U.S. 2002/0019825 A1) discloses group collaboration in a network.

Hesselink et al. (U.S. 6,499,054 B1) discloses control and observation of physical devices, equipment, and processes by multiple users over a network.

Cragun (U.S. 6,557,027 B1) discloses managing online discussing having multiple topics in a collaborative environment.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Meucci at (571) 272-3892. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell, can be reached at (571) 272-3868. The fax phone number for this Group is 571-273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.meucci@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35

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U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Andrew Caldwell". The signature is fluid and cursive, with a large loop at the end.

ANDREW CALDWELL  
PRIMARY PATENT EXAMINER